

APPEAL,CLOSED,Pro Se Plaintiff

**U.S. District Court
District of Rhode Island (Providence)
CIVIL DOCKET FOR CASE #: 1:19-cv-00067-JJM-LDA**

Bey v. Old Field et al

Assigned to: District Judge John J. McConnell, Jr.

Referred to: Magistrate Judge Lincoln D. Almond

Case in other court: U.S. Court of Appeals for the First Circuit,
19-01198 (requires PACER login)

Cause: 28:1332 Diversity--(Citizenship)

Date Filed: 02/14/2019

Date Terminated: 03/19/2019

Jury Demand: Plaintiff

Nature of Suit: 360 P.I.: Other

Jurisdiction: Diversity

Plaintiff

Jamhal Talib Abdullah Bey

Heir and Successor of Felicias Estate

represented by **Jamhal Talib Abdullah Bey**

23 Acorn Street

3rd Floor

Suite 79

Providence, RI 02903

PRO SE

V.

Defendant

Nick Old Field

CEO Computershare Loan Services

Defendant

Toby Wells

CEO Specialized Loan Servicing

Defendant

Debora Aydelotte

CEO of the Lenderline Integration

Defendant

Brian Simons

CEO, Credit Risk Solutions

Defendant

Jim Smith

President, Property Solutions

Defendant

Maggie Pitts-Dilley

Defendant

Beatrice*Teller ID 4916***Defendant****Katina***Teller ID 19405***Defendant****Specialized Loan Servicing LLC****Defendant****Tom Millory**

Date Filed	#	Page	Docket Text
02/14/2019	<u>1</u>		COMPLAINT, filed by Jamhal Talib Abdullah Bey. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Civil Cover Sheet, # <u>5</u> Summons)(Potter, Carrie). (Additional attachment(s) added on 2/14/2019: # <u>6</u> Supporting Memorandum) (Potter, Carrie). (Entered: 02/14/2019)
02/14/2019	<u>2</u>		MOTION for Leave to Proceed in forma pauperis filed by Jamhal Talib Abdullah Bey. (Potter, Carrie) (Entered: 02/14/2019)
02/14/2019			TEXT ORDER: Pursuant to 28 U.S.C. § 1915, the Court has reviewed Plaintiff's Complaint <u>1</u> and his Motion for IFP status <u>2</u> . The federal court lacks subject matter jurisdiction. The Complaint lists "diversity" as the basis for jurisdiction (ECF No. <u>1</u> at 4) and states that the amount in controversy is \$36,000 (Id. at 5). For this Court to have diversity jurisdiction pursuant to 28 U.S.C. § 1332, the amount in controversy must exceed \$75,000. Because this Court does not have subject matter jurisdiction over this matter, the Court must dismiss it. Plaintiff's Motion for IFP status <u>2</u> is DENIED as moot. An action of this type would have to be brought in state court – So Ordered by District Judge John J. McConnell, Jr. on 2/14/2019. (Urizandi, Nisshy) (Entered: 02/14/2019)
02/14/2019	<u>3</u>		JUDGMENT dismissing the Plaintiff's <u>1</u> Complaint entered by the Clerk of Court on 2/14/2019. (Urizandi, Nisshy) (Entered: 02/14/2019)
02/21/2019	<u>4</u>		NOTICE OF APPEAL by Jamhal Talib Abdullah Bey as to <u>3</u> Judgment, Order on Motion for Leave to Proceed in forma pauperis,, NOTICE TO COUNSEL: Counsel should register for a First Circuit CM/ECF Appellate Filer Account at http://pacer.psc.uscourts.gov/cmecf/. Counsel should also review the First Circuit requirements for electronic filing by visiting the CM/ECF Information section at http://www.ca1.uscourts.gov/cmecf Appeal Record due by 2/28/2019. (Potter, Carrie) (Entered: 02/21/2019)
02/21/2019	<u>5</u>		MOTION for Leave to Appeal in forma pauperis filed by Jamhal Talib Abdullah Bey. (Potter, Carrie) (Entered: 02/21/2019)
02/21/2019	<u>6</u>		CLERK'S CERTIFICATE AND APPELLATE COVER SHEET: Abbreviated record on appeal consisting of notice of appeal, order(s) being appealed, and a

			certified copy of the district court docket report transmitted to the U.S. Court of Appeals for the First Circuit in accordance with 1st Cir. R. 11.0(b). <u>4</u> Notice of Appeal. (Attachments: # <u>1</u> Record on Appeal)(Potter, Carrie) (Entered: 02/21/2019)
02/22/2019			USCA Case Number 19-1198 for <u>4</u> Notice of Appeal filed by Jamhal Talib Abdullah Bey. (Potter, Carrie) (Entered: 02/22/2019)
02/25/2019			TEXT ORDER granting <u>5</u> Motion for Leave to Appeal in forma pauperis – So Ordered by District Judge John J. McConnell, Jr. on 2/25/2019. (Urizandi, Nisshy) (Entered: 02/25/2019)
02/26/2019	<u>7</u>		Supplemental Record on Appeal transmitted to U.S. Court of Appeals for the First Circuit re <u>4</u> Notice of Appeal. Unrestricted Documents Sent: Text Order dated 2/25/2019. (Attachments: # <u>1</u> Supplemental Record on Appeal)(Urizandi, Nisshy) (Entered: 02/26/2019)
03/04/2019	<u>8</u>	5	NOTICE: Preliminary Writ of Estoppel and Presentment by Jamhal Talib Abdullah Bey (Simoncelli, Michael) (Entered: 03/05/2019)
06/03/2019		4	TEXT ORDER: The Court will interpret the Plaintiff's filing <u>8</u> as a request for a Stay of Judgment pending appeal, the request if DENIED. This Court found that it did not have subject matter jurisdiction over this matter because the amount in controversy was less than \$75,000. Therefore, entering a stay would not be appropriate – So Ordered by District Judge John J. McConnell, Jr. on 6/3/2019. (Urizandi, Nisshy) (Entered: 06/03/2019)

MIME-Version:1.0
From:cmecf@rid.uscourts.gov
To:cmecfnef@rid.uscourts.gov
Bcc:
--Case Participants: District Judge John J. McConnell, Jr.
(aileen_sprague@rid.uscourts.gov, jjmnef@rid.uscourts.gov), Magistrate Judge Lincoln D.
Almond (ldanef@rid.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:1414646@rid.uscourts.gov
Subject:Activity in Case 1:19-cv-00067-JJM-LDA Bey v. Old Field et al Order
Content-Type: text/html

U.S. District Court

District of Rhode Island

Notice of Electronic Filing

The following transaction was entered on 6/3/2019 at 2:54 PM EDT and filed on 6/3/2019

Case Name: Bey v. Old Field et al
Case Number: 1:19-cv-00067-JJM-LDA
Filer:

WARNING: CASE CLOSED on 03/19/2019

Document Number: No document attached

Docket Text:

TEXT ORDER: The Court will interpret the Plaintiff's filing [8] as a request for a Stay of Judgment pending appeal, the request is DENIED. This Court found that it did not have subject matter jurisdiction over this matter because the amount in controversy was less than \$75,000. Therefore, entering a stay would not be appropriate – So Ordered by District Judge John J. McConnell, Jr. on 6/3/2019. (Urizandi, Nisshy)

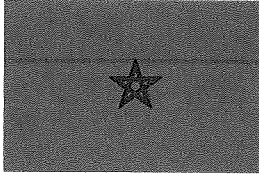
1:19-cv-00067-JJM-LDA Notice has been electronically mailed to:

1:19-cv-00067-JJM-LDA Notice has been delivered by other means to:

Jamhal Talib Abdullah Bey
23 Acorn Street
3rd Floor
Suite 79
Providence, RI 02903

PRELIMINARY WRIT OF ESTOPPEL AND PRESNETMENT

Notice to the agent is notice to the principal, notice to the principal is notice to the agent. UCC I -202: notice, knowledge. An instrument is deemed in law filed at the time it is delivered to the clerk. See Biffe v. Morton Rubber, Inc., 785 S.W. 2d 143, 144 (tex. 1990).



Appellant; Plaintiff: Jamhal Talib Abdullah Bey

Case Name: Bey v. Old Field et al

Case Number: 1:19-cv-00067-JJM-LDA

District: UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

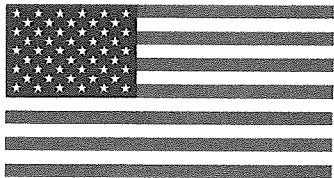
Assigned to: District Judge John J. McConnel, Jr.

Referred to: Magistrate Judge Lincoln D. Almond

Cause: 28: 1332 Diversity -(Citizenship)

Nature of Suit: 360 P.I.: Other, Fraud, Embezzlement of an Estate, Attempted Conspiracy

Date: 3/3/2019



Defendants: Nick Old Field - CEO Computershare Loan Services, Toby wells- CEO Specialized Loan Servicing, Debora Aydelotte - CEO of the Lenderline Integration, Brian Simons - CEO Credit Risk Solutions, Jim Smith - President Property Solutions, Maggie Pitts-Dilley, Beatrice - Teller ID 4916, Katina - Teller ID 19405, Specialized Loan Servicing LLC.

PRESENTMENT

Pursuant to the common-law (common sense) and equity (fairness), as full faith and credit shall be given to the United States pursuant to the constitution, while the appeal that I Jamhal Talib Abdullah Bey, the heir and successor of Felicia's Estate [FELICIAS ESTATE], filed with the UNITED STATES DISTRICT COURT clerk FOR THE DISTRICT OF RHODE ISLAND, dated 2/20/2019 is being reviewed and processed, this estoppel is being sent to: Maggie Pitts-Dilley, an agent of SPECIALIZED LOAN SERVICING LLC to prevent them from proceeding in their attempt to embezzle our estate. See United States Court of Appeals, Fifth Circuit. Melissa C. MINARD v. ITC DELTACOM COMMUNICATIONS, INC. No. 04-30230. *The Supreme Court has recognized that, under federal law, "[e]stoppel is an equitable*

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c.c. United States Court of Appeals for the First Circuit. Clerk of Appeals. 1 Courthouse Way, Suite 2500 Boston, MA 02210
Organization of American States. Secretary Genera Luis Almagro. 17th Street and Constitution Ave., NW Washington, D.C., 20006-4499
Maggie Pitts-Dilley 1080 Main Street Pawtucket RI 02860: **United States Postal Service Certified Mail Number: 7018 2290 0000 8554 4782**
United States Postal Service Domestic Return Receipt Number: 9590 9402 3751 8032 3936 60

doctrine invoked to avoid injustice in particular cases.” In Heckler, the Court quoted and adopted the elements of estoppel set forth in § 894(1) of the Restatement (Second) of Torts...”

To wit, attached to this writ, at the footer, exists the United States Postal Service Certified Mail Receipt number to in fact prove that said agent of said corporation has been properly placed on notice to cease any and all unlawful activity in relation to the Estate with the mailing location and geographical longitudinal and latitudinal coordinates listed in the initial claim filed against the defendants. While an appeal is pending to proceed forward with possible litigation or settlement of case number 1:19-cv-00067-JJM-LDA, filing date: 02/14/2019 in regards to the wrongs committed by said agency and the injury sustained by us. See Paul Durham MORGAN v. Alberto R. GONZALES, No. 05-74378. Decided: July 26, 2007: *When estoppel is available, the court then considers its traditional elements, which include that “(1) the party to be estopped must know the facts; (2) he must intend that his conduct shall be acted on or must so act that the party asserting the estoppel has a right to believe it is so intended; (3) the latter must be ignorant of the true facts; and (4) he must rely on the former's conduct to his injury.”* Watkins, 875 F.2d at 709.

Notice to the agent is notice to the principal and said agent, agents and agency are hereby lawfully commanded to stop, estop, cease and desist all proceedings in regards to any alleged foreclosure or any other proceedings allegedly related to my / our estate. *The estoppel argument was held to establish a valid defense in Cox v. Louisiana, 379 U.S. 559, 85 S.Ct. 476, 13 L.Ed.2d 487 . (1965) and Raley v. Ohio, 360 U.S. 423, 79 S.Ct. 1257, 3 L.Ed.2d 1344 . (1959).” United States v. Bruscantini, 761 F.2d 640, 641 (11th Cir.1985) United States Court of Appeals,Fifth Circuit. UNITED STATES of America, v. Sergio Alberto ORTEGON-UVALDE, a.k.a. Sergio Garcia-Leal, No. 98-50810.*

If this estoppel is not honored by the Courts of the United States then it is a direct violation of Articles 20, 24 and 25 of the Treaty of Amity and Commerce between the Moroccan / Moorish national government and Federal Government of the United States of America and is an act of war and hostility against the Moorish people and violation of the Supreme Law of the Land. See Article VI of the Constitution for the

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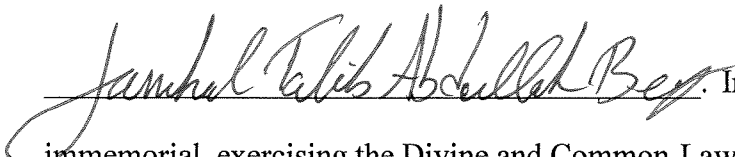
united States of America: *This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.* The treaty between our people was in deed established to help prevent, if any, all hostilities between our two states. If any articles of our treaty is broken, abridged, usurped or violated by any officials, persons, agents, corporations, associations, individuals, citizens or consuls of our respective nations it is ipso facto and ipso jure an act of hostility and war against the respective State, which may result in the most unfavorable event of lawlessness. In any event, it is the cultural, national and religious custom amongst all Moslems, Muslims, Mohammedan, Musselmen or Mehomitan who stands for peace, the very meaning of ISLAM (I SELF LAW AM MASTER) to protect our faith, family, home and law in the manner most appropriate. At this present time, the administrative approach is being taken to respect, uphold and adhere to international peace on the planet. See Qur'an of Mecca Chapter 2 verse 190 – 193: 190: *Fight in the cause of Allah* [Higher Self, Morals, Jurisprudence and Peace] *those who fight you, but do not transgress limits* [use equal and opposite force to match your enemy to stop them from harming you and do not escalate violence] *for Allah loveth not transgressors* [It is in no nations interest to be at war]. 191: ... *But fight them not at the sacred Mosque unless they fight you there* [first]... 192: *But if they cease Allah is Oft-forgiving, Most merciful* [both parties can be at peace] 193: *And fight them on until there is no more tumult or oppression and their prevail Justice and faith in Allah* [Full faith and credit amongst both States that they will honor the Treaty and ensure peace amongst each other]. Also see Article 11 of the Treaty of Amity and Commerce between the Moorish Bey and Dey of the Moorish Kingdoms of Algiers and Tripoli: *As the government of the United States of America is not in any sense founded on the Christian Religion, - as it has in itself no character of enmity against the laws, religion or tranquility of Musselmen, - and as the said States never have entered into any war or act of hostility against any Mehomitan nation, it is declared by the parties that no pretext arising*

from religious opinions shall ever produce an interruption of the harmony existing between the two countries.

This writ, affidavit of fact and presentment is also a plea for peace and demand that the supreme law of the land is honored, adhered to and held to the highest honor amongst our two nation-states. To this date, the defendants have not proven that they either have or had the title to the house or have any original instruments or documents proving they have any fair, equitable, legal or lawful interest in our estate, yet they are attempting to proceed with estate embezzlement guised as a foreclosure.

UNDER PENALTY OF PERJURY

Appellant: I, Jamhal Talib Abdullah Bey, under penalty of perjury and persecution from the Moorish nation, do declare and state for the record, to the best of my ability, that all claims and statements made in this affidavit are true, factually based and not made for, nor intended to be used for fraud, misrepresentation, misprision nor usurpation. A Free Moorish American national and citizen of the free National Government of Morocco, heir and successor of Felicia's estate I am:

 In honor of my Moabite ancestors to time immemorial, exercising the Divine and Common-Law-Right to Jus Postliminii, in accord with the high principles of Love, Truth, Peace, Freedom and Justice.

CONSIDERATION

This Writ of Estoppel and other transcripts, documents and filings in relation to case number 1:19-cv-00067-JJM-LDA, will be published on the PUBLIC RECORDS page of <https://www.riseofthemoors.org/>, for public and international review.

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